

REMARKS

Claims 1-25 are pending in the present application. No additional fees are believed due; however, the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 11-0855.

The Examiner issued a Restriction Requirement directed to Claims 1-25, as follows:

- Group I. Claims 1-13 and 21-25, drawn to a compound and composition, classified in class 552, subclass 618.
- Group II. Claims 14-15, drawn to a method for purification of 2-methoxyestradiol, classified in class 552, subclass 618.
- Group III. Claim 16, drawn to a method for producing 2-methoxyestradiol, classified in class 552, subclass 618.
- Group IV. Claim 17, drawn to a method for producing 2-methoxyestradiol, classified in class 552, subclass 618.
- Group V. Claim 18, drawn to a method for producing 2-methoxyestradiol, classified in class 552, subclass 618.
- Group VI. Claim 19, drawn to a method for producing 2-methoxyestradiol, classified in class 552, subclass 618.

Group VII. Claim 20, drawn to a method for producing 2-methoxyestradiol, classified in class 552, subclass 618.

Applicants hereby provisionally elect Group I, Claims 1-13 and 21-25, with traverse, for prosecution on the merits. The Restriction Requirement is traversed for the following reasons.

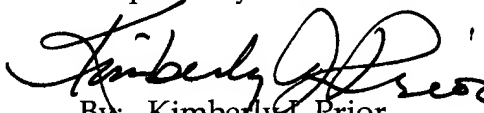
Groups II-VII are drawn to processes for producing a purified 2-methoxyestradiol, while Group I is drawn to the compound and compositions produced. The Office Action indicates that each of the designated groups are searched in the same subclass, namely Class 552, subclass 618. Thus, Applicants respectfully submit that search and examination of the entire application could be made without serious burden. See M.P.E.P. § 803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct and independent inventions."

In contrast, the prosecution and maintenance of seven separate patent applications, six of which contain only a single claim would place an undue financial hardship on Applicants. For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the Restriction Requirement and examination of all claims on the merits.

If the Restriction Requirement is maintained, in accordance with M.P.E.P § 821.04, Applicants understand that upon a finding of allowable subject matter for Claims 1-13, Claims 14-20 will be rejoined and examined fully on the merits.

The foregoing is submitted as a full and complete Response to the Restriction Requirement mailed June 5, 2001, and early and favorable consideration of the claims is requested. If the Examiner believes any informalities remain in the application which may be corrected by Examiner's Amendment, or there are any other issues which can be resolved by telephone interview, a telephone call to the undersigned attorney at (404) 949-2400 is respectfully solicited.

Respectfully submitted,


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